

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

FEB 03 2003

MARTIN C. ASHMAN
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT

SAFE BED TECHNOLOGIES COMPANY)
Plaintiff,)
v.) Civil Action No. 02C 0097
KCI USA, INC., LOYOLA UNIVERSITY)
HEALTH SYSTEM, RUSH SYSTEM FOR)
HEALTH, SWEDISH COVENANT)
HOSPITAL and SHERMAN HOSPITAL)
Defendants.)
Judge Charles R. Norgle
Magistrate Judge Martin C. Ashman

REMITTED

FEB 05 2003

JOINT MOTION TO EXTEND PRE-TRIAL SCHEDULE

Plaintiff, Safe Bed Technologies Company, and Defendants, KCI USA, Inc., Loyola University Health System, Rush System for Health, Swedish Covenant Hospital and Sherman Hospital, jointly seek the entry of an order extending the previously scheduled pre-trial dates by approximately ninety (90) days. This is the parties' first request for an extension of time.

On or about November 22, 2002, the Court entered a pre-trial schedule. The Parties have been conducting discovery, but it is not yet completed.

During Plaintiff's document production, it inadvertently produced certain documents (i) protected by attorney work product doctrine and/or attorney client privilege and (ii) that were subject to a protective order in another case.

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Upon Plaintiff's motion, the Court ordered Defendants' counsel to not inspect those documents, preventing Defendants' counsel from working on the case, until Plaintiffs identified which documents are to be withdrawn. Accordingly, to allow the parties adequate time to prepare, the following new dates are proposed:

EVENT	NEW DATES IF MOTION GRANTED
Complete fact discovery	April 14, 2003
Exchange opening expert reports	June 5, 2003
Exchange rebuttal expert reports	July 9, 2003
Exchange reply expert reports	July 23, 2003
Disclose proposed claim construction	July 30, 2003
Expert depositions to be completed	August 18, 2003
Joint list of disputed/undisputed claim terms and claim construction motions	September 22, 2003
Dispositive motions	October 20, 2003

There is no trial date set in this matter, so the requested extension will not delay any scheduled trial date.

The parties request that another status conference be set at the Court's convenience.

CONCLUSION

For the foregoing reasons, Plaintiff and Defendants jointly seek the entry of an order extending the pre-trial schedule as specified above.

Dated: February 3, 2003

SAFE BED TECHNOLOGIES COMPANY

By: 

One of Its Attorneys

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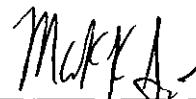
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CERTIFICATE OF SERVICE

I, Mark K. Suri, an attorney, certify that a true and correct copy of the foregoing NOTICE OF JOINT MOTION TO EXTEND PRE-TRIAL SCHEDULE and JOINT MOTION TO EXTEND PRE-TRIAL SCHEDULE was served upon:

Raymond P. Niro
Sally Wiggins
Douglas M. Hall
NIRO, SCAVONE, HALLER AND NIRO
181 West Madison Street, Suite 4600
Chicago, IL 60602
Fax: (312) 236-3137

by facsimile and by causing copies to be deposited in correctly addressed envelopes with proper postage prepaid in the U.S. Mail located at 30 North LaSalle, Chicago, Illinois, on this 3rd day of February, 2003.



Mark K. Suri